

**Proposed Substitute
Bill No. 5600**

LCO No. 3372

**AN ACT CONCERNING MATTRESS STEWARDSHIP PROGRAM
RECYCLING FEES.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (c) of section 22a-905a of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *January 1, 2017*):

4 (c) The council shall establish and implement a fee structure that
5 covers, but does not exceed, the costs of developing the plan described
6 in subsection (b) of this section, operating and administering the
7 program described in subsection (a) of this section, compensating each
8 municipality that hosts a mattress recycling facility an annual fee equal
9 to twenty-five cents per capita based upon the population of such
10 municipality according to the most recent federal decennial census and
11 maintaining a financial reserve sufficient to operate the program over a
12 multiyear period of time in a fiscally prudent and responsible manner.
13 The council shall maintain all records relating to the program for a
14 period of not less than three years.

15 Sec. 2. Subsection (h) of section 22a-905a of the general statutes is
16 repealed and the following is substituted in lieu thereof (*Effective*
17 *January 1, 2017*):

18 (h) On or before July 1, 2014, and every two years thereafter, the
19 council shall propose a mattress stewardship fee for all mattresses sold
20 in this state except crib and bassinette mattresses. The council may
21 propose a change to the mattress stewardship fee more frequently than
22 once every two years if the council determines such change is needed
23 to avoid funding shortfalls or excesses for the mattress stewardship
24 program. Any proposed mattress stewardship fee shall be reviewed by
25 an auditor to assure that such assessment does not exceed the [cost to
26 fund the mattress stewardship program described in subsection (a) of
27 this section and to maintain financial reserves sufficient to operate said
28 program over a multiyear period in a fiscally prudent and responsible
29 manner] fee structure restrictions established in subsection (c) of this
30 section. Not later than sixty days after the council proposes a mattress
31 stewardship fee, the auditor shall render an opinion to the
32 Commissioner of Energy and Environmental Protection as to whether
33 the proposed mattress stewardship fee is reasonable to achieve the
34 goals set forth in this section. If the auditor concludes that the mattress
35 stewardship fee is reasonable, then the proposed fee shall go into effect
36 not less than ninety days after the auditor notifies the commissioner
37 that the fee is reasonable. If the auditor concludes that the mattress
38 stewardship fee is not reasonable, the auditor shall provide the council
39 with written notice explaining the auditor's opinion. Not later than
40 fourteen days after the council's receipt of the auditor's opinion, the
41 council may either propose a new mattress stewardship fee or provide
42 written comments on the auditor's opinion. If the auditor concludes
43 that the fee is not reasonable, the Commissioner of Energy and
44 Environmental Protection shall decide, based on the auditor's opinion
45 and any comments provided by the council, whether to approve the
46 proposed mattress stewardship fee. Such auditor shall be selected by
47 the council. The cost of any work performed by such auditor pursuant
48 to the provisions of this subsection and subsection (k) of this section
49 shall be funded by the mattress stewardship fee described in this
50 subsection.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>January 1, 2017</i>	22a-905a(c)
Sec. 2	<i>January 1, 2017</i>	22a-905a(h)